

REMARKS

Applicant has carefully reviewed the Examiner's February 6, 2004, Official Action and respectfully requests reconsideration based on the above amendments and the following comments.

Claims 14-41 have been cancelled and new claims 42-54 remain in the application for consideration.

Applicant thanks the Examiner for his indication that claim 39 (now new claim 53) has been allowed, and canceled claims 24 and 35 would be allowable subject to being rewritten in independent form. Applicant also thanks the Examiner for his suggested changes to claim 27 which have been made in corresponding new claim 42.

The Examiner has rejected claims 14-15, 18, 21, 25 and 40 under 35 U.S.C. 103(a) as being unpatentable over German '421 taken together with WO'784; claims 16-17, 19-20, 22, 23, 27-34, 36, 38 and 41 under 35 U.S.C. 103(a) as being unpatentable over the German '421 and WO'784 cited above, further in view of Laycock '994; claim 26 under 35 U.S.C. 103(a) taken together with Gale '337 and claim 37 under 35 U.S.C. 103(a) as being unpatentable over German '421, WI'784 and Laycock, further in view of Gale. Applicant traverses all of these rejections especially as applied to new claims 42-54.

As the Examiner will note, Applicant has canceled claims 14-41 and that new independent claims 42, 52 and 54 correspond respectively to canceled claims 27, 38 and 41.

With regard to new independent claim 52, Applicant submits that by using the claimed removable end wall part, it is possible to inspect the chamber while the apparatus is in function. This is not possible using the releasable wall (M) disclosed by Laycock. The wall (M) of Laycock is not an end wall since it comprises the entire upper half of the apparatus, thus making the apparatus inoperable having removed the wall (M) given that liquid thrown against the walls of the chamber would no longer be contained by said wall (M). Inspection of the function of the processing chamber during operation of the apparatus is of great significance when adjusting and calibrating the apparatus, e.g. during commissioning of the apparatus.

Accordingly, Applicant respectfully submits that new independent claim 52 clearly defines over the cited combination of German '421, WO'784 and Laycock.

With regard to new independent claims 42 and 54, Applicant has combined the features of canceled claims 33 and 34 respectively with canceled independent claims 27 and 41 to form new independent claims 42 and 54. With regard to new independent claims 42 and 54, Applicant submits that the liquid

receiving chamber or channel of the claimed invention is defined between the peripheral inner wall of the processing chamber and a flap or plate member being pivotal about a longitudinal axis. The purpose of this is to allow adjustment of a space defined between the lower edge of the flap member and the adjacent part of the inner wall of the processing chamber. As opposed to this, the chamber 19 disclosed in German '421 is disposed outside of the processing area, below the processing chamber. Thus, this chamber cannot be used for adjustment of the flow of liquid through the liquid channel at the bottom of the processing chamber. On the contrary, the purpose of the chamber disclosed in the German '421 is to drain off liquid from said liquid channel via the overflow 18 (see Fig. 2 of German '421). Subsequently, the liquid is recirculated into the processing chamber. Furthermore, the German '421 apparatus is unsuitable for rectification processes.


In the claimed invention, the liquid level in the liquid channel and thus the amount of liquid collected by the liquid collection pockets may be easily controlled by adjustment of said pivotal flap or plate member of the liquid receiving chamber even during operation of the apparatus, see page 9, lines 3-7 of the specification. As mentioned earlier, this is not possible with the chamber according to German '421.

Also, it is not possible to maintain a constant liquid level in the axial direction of the liquid channel because the flow of liquid in the axial direction of the chamber is carried out in the liquid receiving chamber according to the claimed invention, see page 4, lines 17-19 of the specification. Thus, a homogenous and well-defined throwing of liquid into the processing chamber along the entire axial direction of the processing chamber is achieved. This is of great advantage during adjustment and optimization of the rectification or scrubbing process of the apparatus.

Applicant respectfully submits that independent claims 42, 52, 53 and 54 clearly define over the cited prior art, and accordingly, are now allowable, along with claims 43-51 dependent from independent claim 42.

Applicant submits that the invention is new and unobvious and not disclosed by the cited art. Accordingly, Applicant respectfully solicits the Examiner's early review and issuance of this application.

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By 
Norman J. Latker
Registration No. 19,963

NJL:ma
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528